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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,795	10/22/2003	Darren Kady	KADY-0001-CP3	5615
22506	7590	01/30/2006	EXAMINER	
JAGTIANI + GUTTAG 10363-A DEMOCRACY LANE FAIRFAX, VA 22030			BROWN, VERNAL U	
			ART UNIT	PAPER NUMBER
			2635	

DATE MAILED: 01/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/690,795

Applicant(s)

KADY ET AL.

Examiner

Vernal U. Brown

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 34-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 34-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This action is responsive to amendment filed 11/25/05.

Response to Amendment

The examiner has acknowledged the cancellation of claims 1-33 and the addition of claims 34-56.

Response to Arguments

Applicant's arguments with respect to claims 34-56 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 34-37, 39-41, 43, 45, 46, 48-52, 54, and 56 are rejected under 35 U.S.C. 102(b) as being anticipated by Oh US patent 5231310.

Regarding claim 34, 40, Oh teaches a system for controlling the activation of electronic equipment having a power supply (16), an internal activation member ³⁰(~~32~~), and an input device provided by the switches 50-55 (col. 2 lines 8-55), said system having:

at least one programmable user code (col. 6 lines 9-12);

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a user determined programmable activation time period, wherein entry of the access code enables the electronic device to operate for the programmable activation time period (col. 3 line 52 –col. 4 line 59).

Regarding claims 35-36, Oh teaches the device is deactivated upon termination of the activation time period (col. 5 lines 3-17).

Regarding claim 37, 45, 50, and 56, Oh teaches the input means (702) is remote from the system and communicates by wireless means (figure 6).

Regarding claims 39, 41, 43, 46, 52, Oh teaches monitoring the usage of the TV (col. 3 line 52 –col. 4 line 59).

Regarding claims 48, 51, 54, Oh teaches a function for providing the activation time remaining by updating the display with the remaining time as illustrated in figure 5.

Regarding claim 49, Oh teaches a system for controlling the activation of electronic equipment having a power supply (16), an internal activation member (32), and an input device provided by the switches 50-55 (col. 2 lines 8-55), said system having:

at least one programmable user code (col. 6 lines 9-12);

a user determined programmable activation time period, wherein entry of the access code enables the electronic device to operate for the programmable activation time period (col. 3 line 52 –col. 4 line 59);

a readout display (col. 2 lines 65-68);

monitoring the present time and the defined activation times (col. 3 line 52 –col. 4 line 59).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oh US patent 5231310 in view of Green US Patent 5803762.

Regarding claim 38, Oh teaches the activation member (30) is a processor but is silent on teaching the processor is a microchip. One skilled in the art recognizes that a processor is conventionally into a microchip as evidenced by Green (col. 3 lines 15-16).

It would have been obvious to one of ordinary skill in the art to for the processor to be in the form of a microchip because the microchip technology allows the minimization of the processor circuitry and therefore providing more functionality.

Claim 42, 44, 47, 53, 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oh US patent 5231310 as applied to claim 34 above, and further in view of Wang US Patent 6298447.

Regarding claims 42, 44, 47, 53, and 55 Oh teaches controlling the activation of a TV (col. 3 line 52 –col. 4 line 59) and the activation circuitry is applicable to other electronic equipment (col. 2 lines 8-12) which also includes a VCR but is silent on teaching the electronic

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device is a computer . Wang in an art related electronic device control device teaches controlling the activation of a computer (col. 3 lines 56-65) in order to ensure that only a person with a valid password can access the computer.

It would have been obvious to one of ordinary skill in the art to control the activation of a computer in Oh as evidenced by Wang because Oh suggests controlling the activation of electronic devices and controlling the activation of a computer ensures that only a person with a valid password can access the computer.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U. Brown whose telephone number is 571-272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Vernal Brown
January 24, 2006



BRIAN ZIMMERMAN
PRIMARY EXAMINER